

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF NEW YORK, *et al.*,

Plaintiffs

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 98-1233 (CKK)

ORDER

Pursuant to a discussion held in open court on April 24, 2002, the record of which is incorporated herein by reference, the Court makes the following amendment to the May 27, 1998, Stipulation and Protective Order currently in effect in the above-captioned proceeding. At issue before the Court are the conditions of the production and use of the Joint Marketing Agreement (“JMA”) entered into between non-party Qwest Communications International, Inc. (“Qwest”) and Defendant Microsoft Corporation. Qwest expresses a concern that certain of the provisions of the Protective Order do not offer sufficient protection for its interests. Upon a finding of good cause, it is this 24th day of April, 2002, hereby

ORDERED that the unredacted JMA voluntarily provided to Plaintiffs’ counsel by Qwest shall not be provided to Plaintiffs themselves, namely the various State Attorneys General and their staff who are acting, on behalf of their respective States, as Plaintiffs in the above-captioned case; and it is further

ORDERED that the JMA shall not be used by Plaintiffs’ counsel outside of these proceedings and shall be subject to all of the protections otherwise afforded “Highly

Confidential” information pursuant to the May 27, 1998, Stipulation and Protective Order. Pending further discussions with the parties and Qwest, the Court will address the specific procedures which will govern any use of the JMA in conjunction with these proceedings.

SO ORDERED.

COLLEEN KOLLAR-KOTELLY
United States District Judge